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George E. Murray (GM-4172)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ARABIAN WIND LTD.,

Plaintiff,

08 CV \_\_\_\_ (\_\_\_\_)

v.

NORTHWEST PETROLEUM & GAS CO. LTD.,

Defendant.

**ATTORNEY'S  
DECLARATION THAT  
DEFENDANT CANNOT  
BE FOUND WITHIN THE  
DISTRICT**

-----X

This declaration is executed by the attorney for the Plaintiff, ARABIAN WIND LTD. (hereinafter "ARABIAN"), in order to secure the issuance of a Summons and Process of Attachment and Garnishment in the above-entitled, *in personam*, Admiralty cause.

Pursuant to 28 U.S.C. § 1746, George E. Murray, declares under penalty of perjury:

1. I am an associate attorney of the firm of Chalos, O'Connor & Duffy LLP representing Plaintiff ARABIAN in this case.
2. I have personally inquired or have directed inquiries into the presence of Defendant NORTHWEST PETROLEUM & GAS CO. LTD. in this District.

3. I have personally checked with the office of the Secretary of State of the State of New York, using the Secretary of State's Division of Corporations database, and I have determined that, as of August 4, 2008, the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. is not incorporated pursuant to the laws of New York, is not qualified to conduct business within the State of New York and has not nominated agents for the service of process within New York because the Secretary of State of the State of New York has no records for the Defendant NORTHWEST PETROLEUM & GAS CO. LTD.

4. I have inquired of Verizon Telephone Company whether the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. can be located within this District. The Verizon Telephone Company has advised me that the Defendant does not have any telephone number listings within this District.

5. I have further consulted with several other telephone directories on the internet, and I have found no telephone listing or address for the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. within this District.

6. I have further made several searches on the internet with various search engines and maritime websites, and I have found no indication that the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. can be found within this District.

7. In that I have been able to determine that the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. is not based in the District and that I have found no indication that the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. can be found within this District, I have formed a good faith belief that the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. does not have sufficient contacts or

business activities within this District to defeat maritime attachment under Rule B of the Supplemental Rules for Admiralty or Maritime Claims as set forth in the Federal Rules of Civil Procedure.

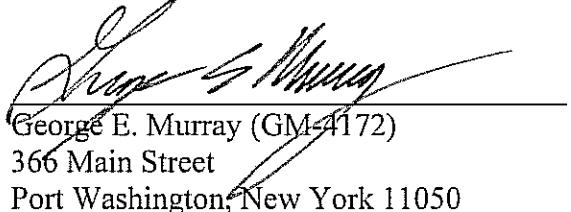
8. It is my belief, based upon my own investigation that the Defendant NORTHWEST PETROLEUM & GAS CO. LTD. cannot be found within this District for the purposes of Rule B of the Supplemental Rules for Admiralty or Maritime Claims of the Federal Rules of Civil Procedure.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Port Washington, New York  
August 5, 2008

CHALOS, O'CONNOR & DUFFY, LLP  
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ARABIAN WIND LTD.

By:

  
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